

MARK A. KLAASSEN
United States Attorney
NICHOLAS VASSALLO (WY Bar No. 5-2443)
P.O. Box 668
Cheyenne, WY 82003
Tele: (307) 772-2124
nick.vassallo@usdoj.gov

PRERAK SHAH
Acting Deputy Assistant Attorney General
United States Department of Justice
Environment & Natural Resources Division

EMMA L. HAMILTON (CA Bar No. 325360)
Trial Attorney
Natural Resources Section
P.O. Box 7611
Washington, D.C. 20044-7611
Tel: (202) 305-0479
Fax: (202) 305-0506

SHAUN M. PETTIGREW (CA Bar No. 254564)
Trial Attorney
Natural Resources Section
c/o NOAA, Damage Assessment
7600 Sand Point Way, NE
Seattle, WA 98115
Phone: (206) 526-6881
shaun.pettigrew@usdoj.gov

Attorneys for Defendants

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF WYOMING**

MOUNTAIN PURSUIT,)	Case No. 1:19-cv-199-NDF
)	
Petitioner,)	
)	RESPONDENTS' MOTION TO
v.)	DISMISS
)	
U.S. FOREST SERVICE, <i>et al.</i> ,)	
)	Administrative Procedure Act Case,
Respondents.)	5 U.S.C. §§ 701 <i>et seq.</i>

Consistent with the Order dated December 10, 2019, ECF No. 12, Respondents U.S. Forest Service, Bridger-Teton National Forest Supervisor Tricia O'Connor, and Caribou-Targhee National Forest Supervisor Mel Bolling, move to dismiss the Petition, ECF No. 1, for lack of subject matter jurisdiction under Rule 12(b)(1) and failure to state a claim under Rule 12(b)(6) of the Federal Rules of Civil Procedure. As explained in the accompanying brief in support of this motion, the Petition fails to identify final agency action that is subject to review under the Administrative Procedure Act or that would fall within the applicable statute of limitations. As a result, the Petition should be dismissed in its entirety and judgment entered in favor of Respondents.

Respectfully submitted this 31st day of January, 2020.

PRERAK SHAH
Acting Deputy Assistant Attorney General
U.S. Department of Justice
Environment & Natural Resources Division

/s/ Shaun M. Pettigrew
SHAUN M. PETTIGREW
Trial Attorney
Natural Resources Section
c/o NOAA, Damage Assessment
7600 Sand Point Way, NE
Seattle, WA 98115
Phone: (206) 526-6881
shaun.pettigrew@usdoj.gov

EMMA L. HAMILTON
Trial Attorney
Natural Resources Section
P.O. Box 7611
Washington, D.C. 20044-7611
Tele: (202) 305-0479
Fax: (202) 305-0506
emma.hamilton@usdoj.gov

MARK A. KLAASSEN
United States Attorney

/s/ Nicholas Vassallo
NICHOLAS VASSALLO
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Attorneys for Defendants